Post 7-25-69

Five Years, $10,000 Stands

Clay Sentence Unchanged For Armed Forces Refusal

HOUSTON, July 24 (AP)—Cassius Clay, saying he will never give up his religious beliefs, was resentenced to five years in prison and fined $10,000 today on an earlier conviction of refusing to be inducted into the armed forces.

It was the same punishment imposed on the former heavyweight boxing champion two years ago in the same case.

U.S. District Judge Joe Ingraham, the same judge who originally sentenced Clay, imposed the sentence today without comment.

Appeal to be Made

Charles Morgan Jr., of Atlanta, Clay's chief attorney, immediately filed notice of appeal.

Clay will remain free on $5000 bond posted at the time of his first appeal two years ago.

Clay had sought exemption from the draft as a Black Muslim minister and as a conscientious objector.

Before pronouncing sentence, Ingraham asked Clay if he had anything to say.

"Sticking to Beliefs"

"I'm sticking to my religious beliefs," Clay answered. "I know this is a country that preaches religious freedom."

Later, in talking with newsmen, Clay said, "They can't let me go. They have to make me an example."

Ingraham rejected July 14 Clay's appeal that the conviction be set aside.

Wiretapping Hit

Ingraham's rejection came following a five-day hearing in June. The Supreme Court, to which Clay had appealed his conviction, ordered the hearing to determine if wiretap conversations involving Clay had any bearing on his conviction.

Clay's attorneys claimed illegally wiretapped conversations involving the former boxer had tainted his conviction.

CASSIUS CLAY
... will appeal

Four such wiretap conversations were admitted as evidence. Ingraham refused to admit a fifth on the grounds that revealing its contents could endanger national security.

The four summaries allowed were monitored by FBI agents while they had the late Dr. Martin Luther King Jr.; Elijah Muhammad, head of the black muslim faith, and others under electronic surveillance and Clay talked with them.

Conversation Innocuous

"The court holds the logs are so totally innocuous they could not have had any bearing on the defendant's conviction under any circumstances," Ingraham ruled July 14 in rejecting Clay's plea.

In a presentencing chat today with newsmen, Clay said his principles had cost him $10 million he could have made as a boxer.

"This is my struggle to win equality for my people," he said. "Many people say they don't mind getting involved but when it comes to losing their wealth or position in life they don't want to."

College Lecturer

Clay was convicted in Ingraham's court June 20, 1967. The all-white jury of six men and six women deliberated less than 20 minutes after hearing less than two days of testimony. Clay did not testify.

Clay said he had been making his living as a lecturer at colleges since 1967.

He said he weighs about 220 pounds which he said was about eight pounds overweight. He said it would take him about five days to "get into shape."

He signed autographs as "Muhammed Ali," his Black Muslin minister name but, unlike situations in the past, he voiced no objections when addressed as "Cassius."